

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

DEREGULATION OF LOCAL EXCHANGE
COMPANIES' PAYPHONE SERVICE

)
)

ADMINISTRATIVE
CASE NO. 361

O R D E R

The Commission issued its Order on October 1, 1997 seeking comments on a proposed uniform tariff for all Local Exchange Carriers ("LECs") other than GTE South Incorporated ("GTE"), BellSouth Telecommunications, Inc. ("BellSouth"), and Cincinnati Bell Telephone Company ("CBT").¹ The Commission received comments from Duo County Telephone Cooperative Corporation, Inc. ("Duo") and The Kentucky Payphone Association ("KPA"). The Commission's Order also allowed for requests for an informal conference. No such requests were received by the Commission.

Duo's comments generally agreed with the content of the tariff with the exception of Section 2, Rules and Regulations For Providing Payphone Service. Duo indicated that this section of the tariff should not be included in the LECs' tariff but that the matter should be tariffed in the same manner as it is by the non-LEC Payphone Service Providers ("PSPs"). The KPA also agrees that Section 2 should not be in the LECs' regulated tariff or alternatively the information should be moved to a different section of the tariff.

The KPA also objected specifically to the inclusion of Sections G.2.c and G.2.d in the LECs' tariff. The Commission ruled in Administrative Case No. 337 that this language

¹ The tariffs of GTE, BellSouth, and CBT will be addressed in a separate Order pending the resolution of the complaint of Coin Phone Management Company which was consolidated with this case.

be required in all PSP providers' tariffs.² The KPA objects on the basis of the recent FCC Orders in CC Docket 96-128.³ The FCC's Orders state that all PSPs, including the LECs' payphone operations, be permitted to direct 0+ (local, intraLATA, and interLATA) calls to the operator service provider selected by the PSP.⁴

The Commission will not require that Section 2, Rules and Regulations For Providing Public Telephone Service, be a part of the LECs' tariffs. However, the LECs currently providing payphone service through their nonregulated operations must file a tariff for the provision of that service. Because of the FCC's orders, the Commission will no longer require that the language contained in Section G.2.c and G.2.d be a part of any PSPs' tariff, except for Section G.2.c which addresses "0-" calls. The Commission will continue to require that "0-" calls be directed to the LEC. The Commission agrees with the FCC that this requirement is necessary to ensure that emergency calls, where the caller simply dials "0" and nothing else, are delivered to a live operator. However, in non-emergency situations the LEC is not mandated to carry the call.⁵

² Administrative Case No. 337, The Investigation and Review of Customer-Owned, Coin Operated Telephone Regulation, Order dated October 7, 1991, p. 12.

³ Implementation of the Pay Telephone Reclassification Provisions of the Telecommunications Act of 1996, CC Docket No. 96-128, Report and Order, FCC 96-388 (released September 20, 1996) ("Payphone Order"); Order on Reconsideration FCC 96-439 (released November 8, 1996) ("Order on Reconsideration").

⁴ Paragraph 261 of the Payphone Order and paragraph 242 of the Order on Reconsideration.

⁵ Paragraph 262 of the Payphone Order and paragraph 243 of the Order on Reconsideration.

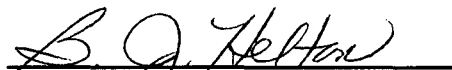
The KPA also had additional comments on the content of the proposed tariff pages. The KPA objects to the inclusion of sections G.1.o through G.1.y. The KPA does not object to these requirements, but rather to their inclusion in the LEC tariffs. The Commission formerly ruled in Administrative Case No. 337 that these requirements shall be a part of the LECs' tariffs.⁶ Therefore, the Commission will continue to require that these requirements be placed in the LECs' tariffs.

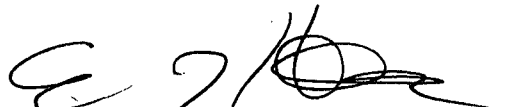
IT IS THEREFORE ORDERED that:

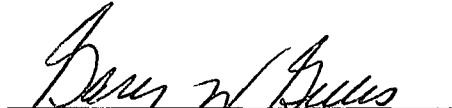
1. Within 30 days of the date of this Order, the LECs, other than BellSouth, CBT, and GTE, shall file tariffs as modified by this Order and attached hereto as Appendix A.
2. All LECs which provide payphone operations through their nonregulated operations shall file tariffs to be PSPs. Appendix B, attached hereto, is a form tariff for filing as a PSP.

Done at Frankfort, Kentucky, this 26th day of January, 1998.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director

⁶ Administrative Case No. 337, Order dated October 7, 1991, pp. 9-10.

APPENDIX A

**APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN ADMINISTRATIVE CASE NO. 361 DATED 1/26/98**

GENERAL SUBSCRIBER SERVICES TARIFF

Telephone Company Name

PSC 1
Section G
First revised Sheet 1
Canceling Original Sheet 1

G. Public Telephone Service

The Company provides Access Line Service for the provision of Public Telephone Service to Payphone Services Providers ("PSPs") including the nonregulated operations of the Company.

1. General

- a. Access Line Service for PSP Public Telephones is an exchange line provided at the request of a subscriber for telecommunications use by the general public.
- b. Access Line Service is provided on a flat rate basis.
- c. Access Line Service is provided for use with PSP provided coin or non-coin operated Public Telephones.
- d. Third number and collect calls to Access Line Service for PSP Public Telephones are not allowed.
- e. PSP Public Telephones must be connected to the Company network in compliance with Part 68 of FCC Rules and Regulations.
- f. Access Line Service is provided subject to the condition that all applicable regulations in this Tariff will be adhered to.
- g. Access Line Service is provided for use by the subscriber but may be used by others when so authorized by the subscriber, provided that all such usage is subject to the provisions of this Tariff.
- h. Access Line Service is not subject to concessions.
- i. Access Line Service may not be suspended at a reduced rate.
- j. Access Line Service for PSP Public Telephones cannot be included on accounts containing other classes of service. A separate account is required for this offering at each location.
- k. The operator cannot perform coin collecting functions.
- l. The Company is not responsible for refunds of coins deposited in PSP Public Telephones.

Issued: July 1, 1997

Effective: July 31, 1997

Issued By: _____

Signature of Officer

Title

Dated

GENERAL SUBSCRIBER SERVICES TARIFF

Telephone Company Name

PSC 1

Section G

First revised Sheet 2

Canceling Original Sheet 2

-
- m. PSP Public Telephones may not be attached to other types of access lines.
 - n. The subscriber to Access Line Service will be responsible for any and all toll charges billed to the subscriber's account.
 - o. PSPs shall post on or near the Public Telephone the name and phone number of the owner of the instrument.
 - p. PSPs shall post on or near the Public Telephone the operating instructions for the instrument.
 - q. PSPs shall provide and post on or near the instrument a cost-free method for reporting complaints and obtaining refunds.
 - r. PSPs that accept coins shall accept coins of various denominations and shall be capable of returning unused coins.
 - s. PSPs shall not charge for calls not completed.
 - t. PSPs shall provide access to 911 Emergency Service (where available) free and without the use of a coin.
 - u. PSP instruments shall be FCC registered, hearing aid compatible, meet federal requirements for size of digits on the instrument, and the use of letterless keypads is prohibited.
 - v. PSP Public Telephones shall be mounted in accordance with federal height regulations for disabled persons.
 - w. PSPs that provide access to long-distance service shall offer access to all certified long-distance carriers through 1-700, 1-800, 1-950, 10XXX or 101XXX dialing.
 - x. PSPs shall offer toll-free access to 800/888 numbers.
 - y. PSP Public Telephones shall not be connected behind a PBX.
 - z. The multi-line business subscriber line charge, found in the interstate access tariff, is applicable to all Public Telephone access lines.

Issued: July 1, 1997

Effective: July 31, 1997

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Signature of Officer

Title

Dated

GENERAL SUBSCRIBER SERVICES TARIFF

Telephone Company Name

PSC 1
Section G
First revised Sheet 3
Canceling Original Sheet 3

2. Service Options

At the request of the subscriber, certain options may be added to the access line for Public Telephone Service and will be billed at the approved tariff rate. All options must be compatible with the hardware and software in use by the existing telephone Company switching equipment.

a. Coin Supervision Additive Service

The Company will provide Coin Supervision Additive Service to PSPs who order Access Line Service for the provision of Public Telephone Service and where the Public Telephone equipment connected to the Access Line Service requires central office coin supervision capability.

Coin Supervision Additive Service provides the capability of central office line equipment to pass signals and/or tones from the Access Line Service to a trunk terminating at the PSPs operator service provider. These signals enable an operator service provider to recognize coin deposits and return coins to the Public Telephone user. Coin Supervision Additive Service also permits a suitable equipped operator service provider to automatically ring back the originating access line upon completion of a call.

This option requires a special central office line card which differs from the standard access line card and will be provided where facilities exist.

b. Public Telephone Screening / Blocking

Screening / Blocking for Public Telephone access lines includes Company provided services necessary to coordinate with operator connections or block subscribers from making specific types of calls. This service includes software translations done at the Company's facilities and also includes coordination between the Company and connecting Company databases.

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Title

Dated

GENERAL SUBSCRIBER SERVICES TARIFF

Telephone Company Name

PSC 1
Section G
First revised Sheet 4
Canceling Original Sheet 4

3. Rates and Charges

	<u>Monthly Rate</u>	<u>Nonrecurring</u>
a. Public Telephone Access Line	Business one-party local rate shall apply	
b. Coin Supervision	\$1.50	

Any other features available should be tarrified here at the appropriate company rates. Rates shown above are for illustrative purposes only.

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Title

Dated

APPENDIX B

**APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN ADMINISTRATIVE CASE NO. 361 DATED 1/26/98**

P.S.C. No. _____

Cancels P.S.C. No. _____

(Name of Payphone Service Provider)

of

(Address)

Rates, Rules, and Regulations for Furnishing
Public Payphone Service

at

(Location)

Filed with the Kentucky Public Service Commission

Issued _____, 19__ Effective _____, 19__

Issued by _____
(Name of Payphone Service Provider)

By _____
(Signature of Officer) (Title)

(Name of Payphone Service Provider)

P.S.C. KY No. _____

_____ Sheet No. _____

Cancelling P.S.C. KY No. _____

Rates, Rules and Regulations for Furnishing Public Payphone Service

- a. The Company does not charge toll rates that are greater than 15% above the average rates of AT&T, MCI, and Sprint for comparable service.
- b. The Company does not allow access to the services of competing carriers to be blocked or intercepted.
- c. Access to the Local Exchange Carrier's operations will not be blocked or otherwise intercepted. Specifically, all "0-" calls (that is, when an end-user dials zero without any following digits) will be directed to the Local Exchange Carrier operators. It is permissible to intercept "0+" calls.
- d. Where an end-user utilizing the Company's Public Payphone Service dials 10XXX-0+, the Company will allow the call to be carried by the identified carrier.
- e. The Company is not required to provide access codes of competitors.
- f. The Company places stickers near or on its Public Payphones specifying the name, address, and telephone number of the entity pre-subscribed for operator services.
- g. The Company requires that if an operator service provider rates and bills calls, then the operator service provider must be identified to end-users at least once during every call before any charges are incurred.
- h. The Company ensures that its operator services provider provides a way for any caller, upon request, to be informed as to the applicable rates.
- i. The Company does not accept calling cards for billing purposes if it is unable to validate the card.

Date of Issue _____ Date Effective _____
Month Day Year Month Day Year

Issued By _____
Signature of Officer Title Address

(Name of Payphone Service Provider)

P.S.C. KY No. _____

_____ Sheet No. _____

Cancelling P.S.C. KY No. _____

Rates, Rules and Regulations for Furnishing Public Payphone Service

- j. If Public Payphone Services in correction facilities and mental health facilities are provided by the Company, the services are in accordance with the following requirements: Inmate phone service will only provide automated collect and debit card service for local and long distance calls from Public Payphones located at correctional or mental health facilities in accordance with institutionally authorized telephone programs.
- k. The Company understands that if it is found to violate Sections b, c, or f contained in these rules, it may be subject to immediate termination of service after 20 days notice.
- l. Choose One:
[If (3) is chosen, a rate sheet is attached]
- (1) The Company's rates are no greater than those of _____, its underlying toll carrier, OR
- (2) The Company concurs with rates for 1+ and 0+ calls of _____, its underlying toll carrier, OR
- (3) The Company charges the following rates for "1+" sent paid (cash) calls:

Date of Issue _____ Date Effective _____
Month Day Year Month Day Year

Issued By _____
Signature of Officer Title Address

(Name of Payphone Service Provider)

P.S.C. KY No. _____

_____ Sheet No. _____

Cancelling P.S.C. KY No. _____

Rates, Rules and Regulations for Furnishing Public Payphone Service

Date of Issue _____ Date Effective _____
Month Day Year Month Day Year

Issued By _____
Signature of Officer Title Address